

**-IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TRINIDAD TAPIA OSORIO

Plaintiff,

v.

BIANCA ALVAREZ;
FRANCISCO ALVAREZ; and
ALOE VERA CARIBBEAN IMPORTS,
LLC, d.b.a. IMMIGRATION SERVICES,
INC.

Defendants

CIVIL ACTION NO. 20-1070

CONSENT INJUNCTIVE ORDER

Plaintiff Trinidad Tapia Osorio (“Plaintiff Tapia”), and Defendants Bianca Alvarez, Francisco Alvarez, and Aloe Vera Caribbean Imports, LLC, d.b.a. “Immigration Services, Inc.” have agreed to the terms of a Settlement of this matter that includes the entry of this Consent Injunctive Order as a final Order by this Court.

1. The terms of this Consent Injunctive Order are to be effective as of February 1, 2021.

2. This Consent Injunctive Order is intended to supplement and not supersede a prior Consent Injunctive Order in *Barrientos de Interiano v. Alvarez*, Case No. 15-cv-04179, at Document 33.

3. The terms of this Consent Injunctive Order are intended to govern the actions of Defendant Bianca Alvarez and it is intended to be interpreted as consistent with the prior Consent Injunctive Order governing the conduct of Francisco Alvarez and Aloe Vera Caribbean Imports, LLC, d.b.a. “Immigration Services, Inc.”

4. Bianca Alvarez will not directly or indirectly share fees with attorneys or withhold from any funds received from any customers any funds or property received on behalf of any attorney.

5. If Bianca Alvarez works under the supervision of an attorney, all fees must be payable to that attorney. To the extent Bianca Alvarez charges for services that she does not believe are legal services and that are not supervised by an attorney, fees may be payable to her. Bianca Alvarez must maintain records of all fees paid directly to her, including records of the service for which the fee was charged, for no less than five years.

6. These provisions shall not bar Bianca Alvarez from direct employment as a legal assistant or paralegal employee under the direct supervision of an attorney licensed to practice law in Pennsylvania, so long as all activities of Bianca Alvarez are under the direct supervision of that attorney.

7. So long as Bianca Alvarez is a notary public or directs services by agents who are notaries public, she shall operate at all times in compliance with the requirements of the Pennsylvania Revised Uniform Law on Notarial Acts, at 57 Pa.C.S. § 301 *et seq.* and regulations promulgated pursuant thereto. This shall include compliance with 57 Pa.C.S. § 325.

Definitions of Terms Used In This Order

8. The term “advertising,” “advertised,” or “advertisement” refers to oral or written statements, visual descriptions, or other representations of any kind that are made to consumers for the purpose of promoting products or services.

9. The term “attorney” means an individual duly licensed to practice law in one or more jurisdictions of the United States.

10. The term “consumer” means a customer or client that receives goods or services.

11. The term “immigration services” means the representation of immigrants seeking residency, work permits, or other immigration matters before the United States Government.

12. The term “legal services” means the legal representation of an individual. This term includes, but is not limited to, receiving compensation for selecting, drafting, or filing forms on behalf of another individual to be filed with any government agency or office, including, but not limited to, USCIS, and advising another individual as to his or her legal rights or as to the legal process. The term applies to activities performed in any state, and with regard to individuals who are residents of any state.

13. The term “unauthorized practice of law” means providing, or representing that one is authorized to provide, legal services without being duly authorized or licensed in the state or territory in which the legal services are provided. This definition is consistent with the formal opinion of the Pennsylvania Bar Association Committee on Unauthorized Practice of Law Formal Opinion 2006-01 as to what constitutes the unauthorized practice of law.

14. The term “USCIS” refers to the United States Citizenship and Immigration Services.

Prohibited Practices

15. Bianca Alvarez, directly or through any corporation, partnership, subsidiary, division, trade name, or other device, is restrained and enjoined from engaging in, or aiding any individual or entity under Bianca Alvarez’s direction and control from engaging in, the unauthorized practice of law.

16. Bianca Alvarez, directly or through any corporation, partnership, subsidiary, division, trade name, or other device, is restrained and enjoined from engaging in, or aiding any individual or entity under Bianca Alvarez’s direction and control from engaging in, any “unfair

methods of competition” and “unfair or deceptive acts or practices” as defined in the Pennsylvania Unfair Trade Practices and Consumer Protection Law at 73 P.S. § 201-2.

Prohibited Advertising

17. Bianca Alvarez, directly or through any corporation, partnership, subsidiary, division, trade name, or other device, is restrained and enjoined from advertising that Bianca Alvarez is qualified to provide legal services. This includes, but is not limited to the following:

- a. Stating or implying that Bianca Alvarez can provide “legal” advice or services.
- b. Advertising “immigration services,” “green card,” “work permit,” “residency” and “divorces.” This prohibition includes advertising these services in any language, including Spanish.
- c. Stating or implying that a non-attorney is a “notario,” or “notario publico.”
- d. Stating or implying that Bianca Alvarez is authorized, qualified, or capable of assisting or helping a consumer with immigration questions, petitions to USCIS, or selecting or filing immigration related forms.
- e. Stating or implying that any other person or entity is authorized, qualified, or capable of assisting or helping a consumer with immigration questions, petitions to USCIS, or selecting or filing immigration related forms, unless such person is in fact an attorney.
- f. Listing Bianca Alvarez’s name on advertisements for legal services with a licensed attorney, unless Bianca Alvarez is working under the direct supervision of that attorney.

Record Keeping

18. Bianca Alvarez shall maintain and retain a copy of all advertising, including any radio advertising, for a period of five (5) years following the date that the advertising was last published and shall provide a true and correct copy of all advertising within five (5) business days if requested by (1) this Court, (2) any designee of this Court, (3) Plaintiff, (4) or any attorney authorized to practice law in the Commonwealth of Pennsylvania.

Enforcement

19. Any individual alleging to have been aggrieved by a violation of this Consent Order shall have standing to enforce the Order.

Retention of Jurisdiction

20. The United States District Court for the Eastern District of Pennsylvania shall retain jurisdiction of this matter for purposes of construction, modification, and enforcement of this Order.